



# Welfare Services Act (Northern Ireland) 1971

## 1971 CHAPTER 2

An Act to consolidate certain enactments relating to welfare services. [16th February 1971]

*Part I (ss.1,2), Part II (ss.3#12), Part III (ss.13#21) rep. by 1972 NI 14*

### PART IV

#### GENERAL WELFARE MATTERS

*Ss.22#24 rep. by 1972 NI 14*

#### **25 Burial or cremation of the dead.**

- (1) It shall be the duty of every [<sup>F1</sup> district council] ...<sup>F2</sup> to cause to be buried or cremated the body of any person who has died or been found dead in its [<sup>F1</sup> district], where it appears to the [<sup>F1</sup> district council] that suitable arrangements for the disposal of the body have not been, or are not being, made otherwise than by the [<sup>F1</sup> district council].

*Subs.(2) rep. by SRO (NI) 1973/211; subs.(3) rep. by 1972 NI 14*

- (4) A [<sup>F1</sup> district council] ...<sup>F3</sup> may recover from the estate of the deceased person, or from any person who, for the purposes of [<sup>F1</sup> the Health and Personal Social Services (Northern Ireland) Order 1972 ], was liable to maintain the deceased person immediately before his death, expenses incurred under subsection (1)...<sup>F4F5</sup> . . . .
- (5) Nothing in the foregoing provisions of this section shall affect any enactment regulating or authorising the burial, cremation or anatomical examination of the body of a deceased person; and a body shall not be cremated under this section where the [<sup>F1</sup> district council] has reason to believe that cremation would be contrary to the wishes of the deceased.

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**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](#) editorial team to Welfare Services Act (Northern Ireland) 1971. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- F2** SRO (NI) 1973/211
- F3** [1972 NI 14](#); SRO (NI) 1973/211
- F4** [1972 NI 14](#)
- F5** [1986 NI 18](#)

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**Modifications etc. (not altering text)**

- C1** S. 25(5) excluded (temp.) (25.3.2020) by [Coronavirus Act 2020 \(c. 7\)](#), s. 87(1), [Sch. 28 para. 13\(4\)\(b\)](#) (with [ss. 88-90](#))

*Ss.26#29 rep. by 1972 NI 14*

*Part V (ss.30 — 35), Part VI (ss.36 — 44) rep. by 1972 NI 14*

## PART VII

### SUPPLEMENTARY

*Ss.45#47 rep. by 1972 NI 14*

#### **48 Short title.**

(1) This Act may be cited as the Welfare Services Act (Northern Ireland) 1971.

*Subs.(2)(3) rep. by 1972 NI 14*